

AO91 (Rev. 12/03) Criminal Complaint

UNITED STATES DISTRICT COURT

NORTHERN

DISTRICT OF

UNITED STATES OF AMERICA
V.

Gerrett CONOVER

CRIMINAL COMPLAINT

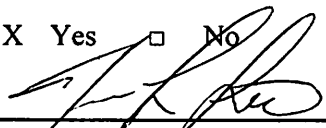
Case Number: 7:12-m-450(LAK)

U.S. DISTRICT COURT - N.D. OF N.Y.
FILED
SEP 17 2012
NEW YORK
AT _____ O'CLOCK
Lawrence K. Baerman, Clerk - Plattsburgh

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about September 16, 2012 in St. Lawrence County, in the Northern District of New York defendant(s) did, did knowingly possess material that contains an image of child pornography that has been shipped or transported in and affecting interstate and foreign commerce.

in violation of Title 18 United States Code, Section(s) 2252A(a)(5)(B).
I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part of this complaint: X Yes ☐ No

Signature of Complainant

Timothy Losito

Printed Name of Complainant


Sworn to before me and signed in my presence,

September 17, 2012
Date

at

Plattsburgh, New York
City and State

Larry A. Kudrle, U.S. Magistrate Judge
Name and Title of Judge
N.D.N.Y.


Signature of Judge

AFFIDAVIT

1. I am a Special Agent with Homeland Security Investigations (HSI). I have been so employed from 2002 to the present. I am currently assigned to HSI Massena, Massena, New York. I have been involved in numerous child pornography investigations during my career, which have resulted in numerous arrests.
2. I am familiar with the circumstances of the below described offenses, through my personal participation in this investigation and through information provided to me by Custom and Border Protection (CBP).
3. On September 16, 2012, at approximately 8:10 am, a 1971 Mercedes Benz 600 arrived at the Ogdensburg, NY Port of Entry (POE) attempting to make entry into the U.S. from Canada. When the vehicle arrived at the POE, the driver of the vehicle was identified as Gerrett CONOVER. Once CONOVER was identified, CBP Officers (CBPOs) sent CONOVER to secondary inspection and detained. During secondary inspection, CBPOs located an Acer laptop belonging to CONOVER.
4. HSI Special Agents (SA) Jason Young and Tim Losito, a computer forensics agent, responded to the Ogdensburg, NY Port of Entry. Once there, SCBPO Tenant transferred custody of the Acer laptop to SA Losito. SAs Young and Losito identified the laptop as an Acer TravelMate laptop Model # 6292. SA Losito removed the laptop's hard drive and prepared the hard drive for forensic exam.
5. At approximately 10:30 am, SAs Losito and Young found a video containing images child pornography. The file was found on CONOVER's Acer laptop, under user "Gerrett", folder "Videos", subfolder "Real Player Videos", filename "13yrOldGetsDressed.flv." The video is a two minute and 43 second web camera video depicting a male child, approximately thirteen (13) years old. During the video, the child undresses and, once naked, he strokes his penis several times and then moves around so the tip of his penis moves up and down.
6. At approximately 11:45 am, SAs Losito and Young conducted an interview of CONOVER. Prior to the interview, CONOVER was advised of his *Miranda* rights. CONOVER acknowledged that he understood his rights and agreed to speak with law enforcement officers. During the course of the interview, CONOVER admitted the laptop was his, and that no one else had access to it. CONOVER also admitted he had the above described video on his computer. CONOVER also stated that he "chatted" with others online, using the profile name of "PETERSNEAKS," due to his affinity for sneakers. CONOVER stated he has recently been chatting with a young boy in Canada, through instant messenger, and that he was trading sneakers with him.



Timothy Losito, Special Agent
Homeland Security Investigations